



JC41 Rec'd PCT/PTO 04 JAN 2002

PC

ATTORNEY DOCKET NO.: 1998/F 130 (8577*24)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: SHIZUO OGURA ET AL.

SERIAL NO: 09/846,310

: ART UNIT: 1745

FILED: MAY 1, 2001

: EXAMINER:

FOR: LITHIUM BATTERY AND ELECTRODE

Asst. Commissioner for Patents

Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASST. COMMISSIONER FOR PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231 ON THIS 11th DAY OF December 2001. BY: Ashley I. Pezzner

COMMUNICATION

With regard to the Notification of Missing Requirements Under 35 U.S.C. 371 (copy enclosed) please be informed that applicant has previously filed the MISSING PARTS, as evidenced by the following copies of filed papers:

1. Transmittal of Missing Parts mailed on July 12, 2001;
2. Original Declaration/Power of Attorney form executed by inventors.
3. Original executed Assignment along with one Recordation Form Cover Sheet (PTO-1595) and a check in the amount of \$40.00 to cover the recording fee.
4. The undersigned's check for \$130.00 to cover the surcharge for missing parts.
5. Copy of the return date-stamped post card.

Respectfully Submitted,
CONNOLLY BOVE LODGE & HUTZ LLP

By: Ashley I. Pezzner
Ashley I. Pezzner
Reg. No. 35,646
Telephone: (302) 888-6270

AIP/cam
176923



1998/F 130 (8577*24)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: SHIZUO OGURA ET AL.

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TRANSMITTAL OF MISSING PARTS

Sir:

Please find the enclosed papers:

1) Original Declaration/Power of Attorney form executed by inventors:

2) Original executed Assignment along with one Recordation Form Cover Sheet (PTO-1595)

and a check in the amount of \$40.00 to cover the recording fee.

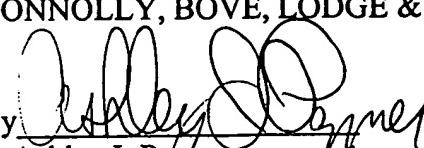
3) The undersigned's check for \$130.00 to cover the surcharge for missing parts.

4) A copy of the Notice to File Missing Parts (PTO Form PTO-1533) has not yet been received.

The Commissioner is authorized to debit any deficiency, or credit any overpayment, of the above-mentioned fees to our Deposit Account No. 03-2775.

Respectfully submitted,

CONNOLLY, BOVE, LODGE & HUTZ, LLP

By 
Ashley I. Pezzner
Reg. No. 35,646
Tel. (302) 888-6270

AIP/cam
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U.S. PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/846,310 | 05/01/2001 | Shizuo Ogura | 1998/F 130 (8577*24) |

CONFIRMATION NO. 5217

FORMALITIES LETTER



OC000000007172268

CONNOLLY BOVE LODGE & HUTZ LLP
1220 MARKET STREET
P.O. BOX 2207
WILMINGTON, DE 19899

Date Mailed: 12/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

FILE COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



CONFIRMATION NO. 5217

Bib Data Sheet

| | | | | |
|-----------------------------|-----------------------------------|--------------|------------------------|---|
| SERIAL NUMBER 09/846,310 | FILING DATE 05/01/2001 RULE | CLASS 429 | GROUP ART UNIT 1745 | ATTORNEY DOCKET NO. 1998/F 130 (8577*24) |
|-----------------------------|-----------------------------------|--------------|------------------------|---|

APPLICANTS

Shizuo Ogura, Charlotte, NC;
Hidehisa Mokudai, Kawasaki-shi, JAPAN;
Makoto Murata, Tsurugashima-shi, JAPAN;
Barrie Linton Davies, Waxhaw, NC;

**** CONTINUING DATA *******

THIS APPLICATION IS A CON OF 09/647,188 ABN
AND A CON OF 09/052,366 03/31/1998 ABN — *ABN*

**** FOREIGN APPLICATIONS *******

PCT/EP99/01943 03/23/1999
JAPAN 134, 351 04/28/1998

IF REQUIRED, FOREIGN FILING LICENSE GRANTED

**** 12/05/2001**

| | | | | | |
|---------------------------------|---|------------------|----------------|--------------|--------------------|
| Foreign Priority claimed | <input type="checkbox"/> yes <input type="checkbox"/> no | STATE OR COUNTRY | SHEETS DRAWING | TOTAL CLAIMS | INDEPENDENT CLAIMS |
| 35 USC 119 (a-d) conditions met | <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance | NC | 4 | 30 | 3 |
| Verified and Acknowledged | Examiner's Signature _____ Initials _____ | | | | |

ADDRESS

CONNOLLY BOVE LODGE & HUTZ LLP
1220 MARKET STREET
P.O. BOX 2207
WILMINGTON ,DE 19899

TITLE

Lithium battery and electrode

| | | |
|-----------------------------|---|--|
| FILING FEE RECEIVED 1020 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | <input type="checkbox"/> All Fees |
| | | <input type="checkbox"/> 1.16 Fees (Filing) |
| | | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |
| | | <input type="checkbox"/> 1.18 Fees (Issue) |
| | | <input type="checkbox"/> Other _____ |
| | | <input type="checkbox"/> Credit |



ATTORNEY DOCKET NO.: 1998/F 130 (8577*24) *Receipt*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: SHIZUO OGURA ET AL.

SERIAL NO: 09/846,310 : ART UNIT: 1745

FILED: MAY 1, 2001 : EXAMINER:

FOR: LITHIUM BATTERY AND ELECTRODE :

Asst. Commissioner for Patents

Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASST. COMMISSIONER FOR PATENTS, OFFICE OF INITIAL PATENT EXAMINATION, CUSTOMER SERVICE CENTER, WASHINGTON D.C. 20231 ON THIS 11th DAY OF December, 2001.
BY: Courtney A. Pezzner

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

The applicants respectfully request a new filing receipt be issued. Upon review of the filing receipt, the applicants have noticed that the applicants residence were omitted. The correct address are as follows:

-- Shizuo Ogura - 9932 Ridgemore Drive, Charlotte, North Carolina 28277
Hidehisa Mokudai - 1726 Maginu, Miyamea-Ku, Kawasaki-shi, Kanagawa-ken, Japan
Makoto Murata - 2-4-6-508, Fujimi, Tsurugashima-shi, Saitama-ken, Japan
Barrie Linton Davies - 726 Skytop Road, Waxhaw, North Carolina 28173-9329 --

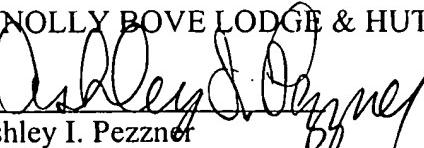
Also under Domestic Priority data as claimed by applicant please add -- THIS APPLICATION IS A CON OF 09/052,366--

Under Independent claims please delete '2" and insert - -3- -.

No additional fee is due. If there are any additional fees due in connection with the filing of this response, the Commissioner is authorized to charge or credit any overpayment to Deposit Account No. 03-2775.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

By 

Ashley I. Pezzner

Registration No. 35,646

Telephone: (302) 888-6270

AIP/cam
176923



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-------------------------|----------|------------|------------|
| 09/846,310 | 05/01/2001 | 1745 | 1020 | 1998/F 130 (8577*24) | 4 | 30 | 2 3 |

CONFIRMATION NO. 5217

FILING RECEIPT



OC000000007172267

CONNOLLY BOVE LODGE & HUTZ LLP
1220 MARKET STREET
P.O. BOX 2207
WILMINGTON, DE 19899

Date Mailed: 12/07/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Shizuo Ogura, Residence Not Provided;
Hidehisa Mokudai, Residence Not Provided;
Makoto Murata, Residence Not Provided;
Barrie Linton Davies, Residence Not Provided;

Shizuo Ogura - 9932 Ridgemore Drive,
Charlotte, North Carolina 28277
Hidehisa Mokudai - 1726 Maginu, Miyamea-Ku, Kawasaki-shi,
Kanagawa-ken, Japan
Makoto Murata - 2-4-6-508, Fujimi, Tsurugashima-shi,
Saitama-ken, Japan
Barrie Linton Davies - 726 Skytop Road, Waxhaw,
North Carolina 28173-9329

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/647,188

THIS APPLICATION IS A CON OF 09/052,366

Foreign Applications

PCT/EP99/01943 03/23/1999
JAPAN 134, 351 04/28/1998

If Required, Foreign Filing License Granted 12/05/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Lithium battery and electrode

RECEIVED
JAN 16 2002
TC 1700

Preliminary Class

429

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).